

PATENT COOPERATION TREATY

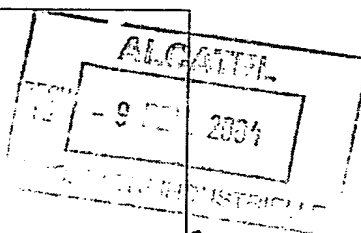
Rep file 23/4/04

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To:

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WRITTEN OPINION
(PCT Rule 66)

Date of mailing (day/month/year) 05.02.2004	
Applicant's or agent's file reference 104366/HAS	REPLY DUE → within 3 month(s) from the above date of mailing
International application No. PCT/EP 02/08063	International filing date (day/month/year) ... 09.04.2002
Priority date (day/month/year) 09.04.2002	
International Patent Classification (IPC) or both national classification and IPC H04B7/185	
Applicant ALCATEL et al.	

1. This written opinion is the **first** drawn up by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:

I	<input checked="" type="checkbox"/>	Basis of the opinion
II	<input type="checkbox"/>	Priority
III	<input type="checkbox"/>	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
IV	<input type="checkbox"/>	Lack of unity of invention
V	<input checked="" type="checkbox"/>	Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
VI	<input type="checkbox"/>	Certain documents cited
VII	<input type="checkbox"/>	Certain defects in the international application
VIII	<input type="checkbox"/>	Certain observations on the international application
3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also: For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 09.08.2004

Name and mailing address of the International preliminary examining authority:



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I. Basis of the opinion

1. With regard to the elements of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"*):

Description, Pages

1-15 as originally filed

Claims, Numbers

1-26 received on 27.10.2003 with letter of 23.10.2003

Drawings, Sheets

1/5-5/5 as originally filed

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
 - ☐ the language of publication of the international application (under Rule 48.3(b)).
 - ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).
3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority in written form.
 - ☐ furnished subsequently to this Authority in computer readable form.
 - ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
4. The amendments have resulted in the cancellation of:
- ☐ the description, pages:
 - ☐ the claims, Nos.:
 - ☐ the drawings, sheets:
5. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).
6. Additional observations, if necessary:

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	1 - 5, 7 - 12, 14 - 17, 19 and 21 - 26: No
Inventive step (IS)	Claims	6, 13, 18 and 20: No
Industrial applicability (IA)	Claims	

2. Citations and explanations**see separate sheet**

**WRITTEN OPINION
SEPARATE SHEET**

International application No. PCT/EP02/08063

The examination is being carried out on the following application documents:

Text for the Contracting States:

AT BE CH CY DE DK ES FI FR GB GR IT IE LI LU MC NL PT SE TR

Description, pages:

1-15 as originally filed

Claims, No.:

1-26 as originally filed

Drawings, sheets:

1/5-5/5 as originally filed

1a In the set of claims filed with the letter dated 23.10.2003, the feature "said down-link transmissions comprises at least one channel allocated to a respective receiver or a group of receivers" was added to the independent claims 1 and 14.

1b The applicant is asked to indicate where in the application as originally filed a basis may be found for this feature as required by Article 34(2)(b) PCT.

2 Citations:

D1 = US-B-6 201 798

D2 = US2001/048669

D3 = DE-A-100 31 178

3 D1 discloses a satellite based monitoring (column 3, lines 30 and 31: video), measurement (column 3, lines 30 and 31: audio, i.e. via a microphone) or data collection (column 3, lines 30 and 31: data) system comprising:

a monitoring, measurement or data collection system having a plurality of monitoring stations (figure 1: 23a, 23b, 24) for remote monitoring, measurement or data collection and for providing data, to respective computation centers (29a, 29b, 29c), and

a satellite system using at least one satellite (25) having an on-board processor (figure 13 B) for multiplexing up-link data received and broadcasting said multiplexed data in down-link transmission;

wherein at least one of said computation centers (29a, 29b, 29c) has a satellite receiver (figure 9: 176) or a group of satellite receivers, and said down-link transmission comprises at least one channel allocated (D1, column 25, lines 13 - 16: "For example, these radio receivers can playback an audio program received on a first channel and a related video program received on another channel.") to a respective receiver or a group of receivers; and a down link adapter (figure 9: 187) connected to said receiver or group of receivers is adapted for extracting the at least one digital (figure 9: 188) channel allocated to the respective receiver or group of receivers to which it is connected.

Thus, the subject-matter defined in claim 1 is not new in view of D1.

4 Further, D1 discloses the following features of the dependent claims:

claim 2: wherein each of said monitoring stations is connected through an up-link adapter (figure 3: 77 - 88) to a satellite up-link broadcasting station (figure 3: 92a, 92b).

claim 3: wherein said satellite system is a digital direct broadcast satellite system (column 5, lines 33 - 40)

claim 4: wherein at least one of the monitoring stations has at least one channel from the up-link transmission allocated thereto

claim 5: wherein several remote channels, or several monitoring stations are grouped together using sub-multiplexing (column 3, lines 30 and 31: video; - a video signal comprises audio information in a first sub-channel and picture information in a second sub-channel) channel capabilities of said digital direct broadcast satellite system

claim 7: wherein time and date (transmission of time and date is inherent e.g. in a television or radio transmission) is broadcast to said down-link adapters and to

said digital direct broadcast satellite receivers

claim 8: a down-link adapter (figure 9: 187) for extracting at least one channel from a down-link transmission

claim 9: a down-link adapter (figure 9: 187) for converting data framing from said satellite down-link data channel rate to message format and/or converting data rate to rate adapted to a cyclic data rate of said monitoring, measurement or data collection system

claim 11: an up-link adapter (figure 3: 77 - 88) for converting signals received from a monitoring station of a monitoring, measurement or data collection system (60, 64, 68, 72), into signals suitable for digital up-link transmission as claimed in claim 2.

claim 12: an up-link adapter for converting data message format from said monitoring station to an up-link format of said satellite system and converting data rate to an uplink rate adapted to said satellite system (this is considered to be an inherent feature in D1).

Thus, the subject-matter defined in claims 1 - 5 and 7 - 12 is not new in view of the disclosure of D1.

- 5 The subject-matter of claims 6, 13, 18 and 20 is considered to be obvious to a person skilled in the art in view of document D2. In particular, any TDM signal needs a synchronization signal.
- 6 For corresponding reasons, also claims 14 - 17 are considered not to be new in view of D1.
- 7 The subject-matter of claims 10 and 21 is technically unclear (Article 6 PCT).
- 8 Claims 22 - 26 are considered to be obvious to a person skilled in the art. In particular concerning the features mentioned in claims 22 and 23, reference is also made to the document D3.

**WRITTEN OPINION
SEPARATE SHEET**

International application No. PCT/EP02/08063

- 9a Apparently, the problem to be solved by the present application relates to how to provide a deterministic and guaranteed transit time to all computation centers at the same time, see description of the application on page 1, lines .
- 9b In order to formulate a claim which also involves an inventive step, the applicant is asked to determine which technical features actually solve the above problem.

Such features should then be defined in the independent claims.

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